

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1787 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- MAHILA PS District- Jehanabad

1. NIRANJAN SHARMA S/O RAMTA SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
2. NIHARNANDAN SHARMA S/O RAMTA SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
3. GAUTAM KUMAR S/O NIHARNANDAN SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
4. UTTAM KUMAR S/O NIHARNANDAN SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
5. NITISH KUMAR S/O NIRANJAN SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
6. HARI OM KUMAR S/O KAUSHAL SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.
7. LATA DEVI W/O NIHARNANDAN SHARMA Resident of village- Bira, P.S.- Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Sawarn

For the Opposite Party/s : Ms. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 25-01-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners has submitted that petitioner no. 1, Niranjan Sharma has been arrested and as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this bail petition with respect to him.



In view of the above submission, **this petition is dismissed as withdrawn with respect to petitioner no. 1.**

So far as **rest petitioners are concerned**, they apprehend their arrest in connection with Jehanabad Mahila P.S. Case No. 19/2022 registered for offence punishable under sections 498(A), 506, 379/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

As per allegation, the marriage of the complainant was solemnized with co-accused Gaurav Kumar on 06.04.2022. The couple were already in love and affection and there was physical relation between them prior to their marriage. The accused persons demanded Rs. 2,00,000/- cash and a 'Scorpio' vehicle and due to non-fulfillment of demand of dowry, they inflicted atrocities on her.

The learned counsel for the petitioners has submitted that petitioner nos. 2 to 7 are the family members of Gaurav Kumar, the husband of the victim and it was only reason for their false implication in this case. They live separately from Gaurav Kumar, having no relation with day-to-day affairs of the couple. He has submitted further that Gaurav Kumar is under custody and there is no any other case against the petitioners except Hulasganj P.S. Case No. 290 of 2022, which has been lodged by the informant. He has also submitted that petitioner



no. 6 is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, let **petitioner nos. 2 to 7**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 19/2022, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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